

Atty. Dkt. No. WT0115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Guenther et al.

Title: GAME BALL LACING

Appl. No.: 10/625,325

Filing Date July 23, 2003

<p>CERTIFICATE OF PRIORITY MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Terence P. O'Brien</p> <p>(Printed Name)</p> <p><i>Terence P. O'Brien</i></p> <p>(Signature)</p> <p>September 8, 2003</p> <p>(Date)</p>

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b) and 37 CFR § 1.97(h). Applicant does not waive any rights to take any action, which would be appropriate to antedate or otherwise remove as a competent reference any document that is determined to be a prima facie art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR § 1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English. The non-patent literature documents listed in the attached Form PTO-1449 include digital photographs of footballs with lacing obtained from U.S. retail stores in the Spring and Summer of 2003.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 501959. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 501959.

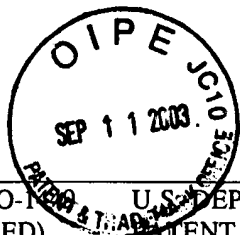
Respectfully submitted,

Date 8 September 2003
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Form PTO-100 (MODIFIED)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. WT0115	SERIAL NO. 10/625,325
		APPLICANT Murphy et al.	
		FILING DATE July 23, 2003	GROUP ART UNIT

INFORMATION DISCLOSURE CITATION

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
		5,941,785	8/24/99	Bartels	473	597	5/12/98
		5,383,660	1/24/95	Adler et al.	273	65	1/19/93
		5,228,687	7/20/93	Luecke et al.	273	65	1/7/83
		5,133,550	7/28/92	Handy	273	65	7/24/91
		4,928,962	5/29/90	Finley	273	65	9/8/89
		4,869,504	9/26/89	Kralik	273	65	9/26/88
		4,822,041	4/18/89	Molitor	273	60	12/18/87
		4,515,852	5/7/85	Katabe et al.	428	246	5/6/83

FOREIGN PATENT DOCUMENTS

Canada		CA 600,722 A1	06/1960	Gow et al.	473	For155	
Canada		CA 723,048 A1	12/1965	Gutknecht	473	For155	

NON-PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS	CITE NO.	DESCRIPTION
		Document including digital photographs of a football in packaging, purchased at a Target department store in Rosemont, Illinois on July 15, 2003, wherein the football includes the following markings, "Rawlings, Dynasty, Exclusive Pyramid Pebble Traction Design."
		Document including digital photographs of a football, obtained from a retailer in the U.S. in the Spring of 2003, with the following markings, "Classic® Sport, Dynasty, PeeWee Game Ball".

EXAMINER	DATE CONSIDERED
EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Please draw a line through a citation if it is not in conformance and not considered. Please include any copy of this form with next communication to applicant.	

